

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF GEORGIA,

Defendant.

CIVIL ACTION FILE NO.

1:16-CV-03088-ELR

**NON-PARTY FLOYD COUNTY SCHOOL DISTRICT'S RESPONSE IN
OPPOSITION TO UNITED STATES' MOTION TO COMPEL**

As has been argued in the Responses of various other Non-Parties, Floyd County does not contend that the Government is not entitled to conduct a discovery inspection of Floyd County GNET facilities. Floyd County is also fully aware of the Court's Order of April 12, 2022 granting the United States' Motion to Compel of the other non-parties' GNET premises.

However, Floyd County has offered one other proposal that no other school system has proposed. Floyd County has the capability of providing full video and audio coverage of the Floyd County GNET classrooms. Floyd County can place cameras in the classrooms that will be unnoticed by the students at no cost to the United States. Using these cameras and video equipment, the attorneys and experts

for the United States will have full access to the classrooms without any disruption of the classrooms and students' educational setting.

Attached hereto is an affidavit of Mr. Craig Ellison, the Executive Director of Technology of Floyd County Schools which explains the ability of Floyd County Schools to place the cameras and the coverage they provide. See Exhibit "A." When other people come into a GNET classroom, the students often "show-out." At a minimum, the learning process is often interrupted while other people are in the room.

Floyd County's GNET classrooms currently have as few as two to three students. A teacher and para-pro are in the room with them. To put five to six strangers in the room will probably produce a situation that is not instructive to the Government's attorneys and experts. Moreover, the cameras will provide instant access to the classroom without disruption. For the Government to totally disregard this option because it has the authority to conduct its own discovery, reflects a total disregard of the students' welfare that it purports to represent and is disproportional to the needs of the case. See Rule 26.

Therefore, since Floyd County can offer this reasonable option, unlike any other school system, Floyd County prays that the United States' right of discovery at least be modified to require the Government to at least try the proposed camera-

video system before putting unfamiliar people in the classrooms that may cause disruption, and at the very least, interfere with the educational environment of the GNET students.

Respectfully submitted on this 21st day of April, 2022.

BRINSON, ASKEW, BERRY, SEIGLER,
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By: /s/ I. Stewart Duggan
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CERTIFICATE OF SERVICE

I certify that I have this day filed the foregoing **NON-PARTY FLOYD COUNTY SCHOOL DISTRICT'S RESPONSE IN OPPOSITION TO UNITED STATES' MOTION TO COMPEL** with the Clerk of Court using the CM/ECF system, which will automatically send notification of such filing to all attorneys of record.

I further certify that this document has been prepared in Times New Roman font (14 pt.) and formatted in accordance with the Local Rules of the United States District Court for the Northern District of Georgia.

This 21st day of April, 2022.

BRINSON, ASKEW, BERRY, SEIGLER,
RICHARDSON & DAVIS, LLP

By: /s/ I. Stewart Duggan
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